

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re: LARRY VERNON HOLT
DONNA LYNN HOLT,
Debtors.

Case No. 12-32594-DOT
Chapter 13
Trustee: Hyman

NOTICE OF MOTION

The Debtors, by Counsel, have filed papers with the Court, asking the Court to vacate the Order of Dismissal and to reinstate their Chapter 13 case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one, in this bankruptcy case.

If you do not want the court to grant the relief sought in the Motion, or if you want the court to consider your views on the Motion, then, **on or before 14 Days from June 27, 2013,** you or your attorney must:

File a response with the court pursuant to Local Bankruptcy Rule 9013-(H). You must mail your response to the Clerk, United States Bankruptcy Court, 701 E Broad Street, Suite 4000, Richmond, VA 23219.

You must also attend a hearing, to be scheduled at a later date, in Judge Tice's Courtroom at the U. S. Bankruptcy Court, 701 E Broad Street, Courtroom 5100, Richmond, VA 23219.

You must also mail a copy of your response to: Nnika E. White, Esq., Counsel for Debtor, 9101 Midlothian Turnpike, Suite 800, Richmond, VA 23235.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that Motion.

Date: June 27, 2013

/s/ Nnika E. White
Nnika E. White, Esq.
Law Offices of White & Associates
9101 Midlothian Turnpike, Suite 800
Richmond, VA 23235
VSB # 47012
(804) 377-9431

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: LARRY VERNON HOLT)	Case No. 12-32594-DOT
DONNA LYNN HOLT,)	Chapter 13
Debtors.)	Trustee: Hyman
)	

MOTION TO VACATE ORDER DISMISSING CASE

To the Honorable Court:

The Debtors, by Counsel, Nnika E. White, Esq., respectfully move this Honorable Court as follows:

1. On April 27, 2012, the Debtors filed a voluntary petition under Chapter 13 of the Bankruptcy Code. Robert E. Hyman was appointed to serve as the Chapter 13 Trustee ("Trustee") in this case.
2. Debtor's first Chapter 13 plan was confirmed on July 16, 2013, and the Debtors successfully made their plan payments until March 2013.
3. The Trustee filed a Motion to Dismiss on May 2, 2013. The Debtors contacted the attorney who filed their bankruptcy petition ("Prior Counsel"), hoping to convert the case to a Chapter 7 bankruptcy, but Prior Counsel refused, and the Debtors' case was dismissed at the hearing on June 12, 2013. The Order dismissing Debtors' case was entered by the Court on June 13, 2013.
4. The Debtors have since hired Nnika E. White as Counsel in their case, to vacate the dismissal and allow them to convert to a Chapter 7 bankruptcy. This is the Debtors' only bankruptcy filing; thus, the Debtors desire to vacate the dismissal so that they do not have multiple filings appear on their credit history.

WHEREFORE, Debtors respectfully request that this Court vacate its Order of Dismissal, reinstate their Chapter 13 case, and permit them to convert to a Chapter 7 case and receive their discharge.

RESPECTFULLY SUBMITTED:

Larry Vernon Holt
Donna Lynn Holt

Date: June 27, 2013

/s/ Nnika E. White
Nnika E. White, Esq.

Nnika E. White, Esq.
VSB #47012
Law Office of White & Associates, PC
9101 Midlothian Turnpike, Suite 800
Richmond, VA 23235
(804) 377-9431

NOTICE IS HEREBY GIVEN UNDER LOCAL BANKRUPTCY RULE 9013-1: UNLESS A WRITTEN RESPONSE TO THIS MOTION AND SUPPORTING MEMORANDUM ARE FILED WITH THE CLERK OF COURT AND SERVED ON THE MOVING PARTY AT LEAST SEVEN DAYS BEFORE THE SCHEDULED HEARING DATE, THE COURT MAY DEEM ANY OPPOSITION WAIVED, TREAT THE MOTION AS CONCEDED, AND ISSUE AN ORDER GRANTING THE REQUESTED RELIEF WITHOUT FURTHER NOTICE OR HEARING.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Notice and Motion were mailed electronically via CM/ECF to Roger C. Hurwitz, counsel for the Debtors, at rchurwitz@gmail.com, and to the Chapter 13 Trustee at station08@ricva.net, and via first-class mail to all creditors on the attached mailing list and all other necessary parties on June 27, 2013.

/s/ Nnika E. White
Nnika E. White, Esq.